

**40.57. PUBLIC TRANSPORTATION FACILITY** [ORD 4332; November 2004]**40.57.05 Purpose**

The purpose of the Public Transportation Facility application is to identify development review standards and procedures for the review of public transportation improvements that are subject to such review.

**40.57.10 Applicability**

1. This Section applies to the design and construction of public transportation facilities including roadways and bridges, and transit, bicycle and pedestrian facilities within public rights-of-way and the areas adjacent to the rights-of-way where physical changes occur as a result of such design and construction. Unless exempted by Section 40.57.10.2, Public Transportation Facility application approval shall be required for Collectors, Arterials, Principal Arterials, and Freeways.
2. Unless specified in the applicable thresholds for Public Transportation Facility, approval shall not be required for the following:
  - A. Local and Neighborhood Route streets.
  - B. Public transportation facility improvements which were required as a part of another development application.
  - C. Maintenance, preservation, and repair of existing public roads, transportation facilities and structures within all existing rights-of-way and easements.
  - D. Modifications within all existing rights-of-way and easements including, but not limited to striping, addition of curbs or medians, sidewalks speed humps, curb extensions, street lighting, signalization, reflectors, buttons, signs, flashing beacons, or other similar modifications.
  - E. Bus turnouts within all existing rights-of-way.
  - F. Reconstruction or matching replacement of a public transportation facility within all existing rights-of-way, including the enlargement or removal of culverts, pilings or similar structures, provided they are not located in a floodplain, special flood hazard area, or Significant Natural Resource Area.

## 40.57.10.2.

- G. Contractor construction staging areas and stockpiling of materials within all public rights-of-way or easements.
- H. Repairs, improvements, detours and traffic pattern changes that are made in response to an emergency.
- I. Private Streets

**40.57.15 Application.**

There is a single Public Transportation Facility application which is subject to the following requirements.

**1. Public Transportation Facility.**

- A. Threshold. An application for Public Transportation Facility shall be required when the applicability statements listed in Section 40.57.10.1 apply, none of the exemptions listed in Section 40.57.10.2 apply, and one or more of the following thresholds describe the proposal:
  - 1. New transportation facilities which:
    - a. Require the acquisition of right-of-way, or
    - b. Are located within existing public right-of-way where no transportation facility currently exists.
  - 2. The extension or widening of existing transportation facilities which:
    - a. Require the acquisition of right-of-way, or
    - b. Are located within an existing public right-of-way.
    - c. Increases the combined width of existing street improvements by six (6) feet or more.
  - 3. Construction activities including contractor construction staging areas and stockpiling of materials outside a public right-of-way or easement.
  - 4. Transit shelters.

40.57.15.1.

- B. Procedure Type. The Type 2 procedure, as described in Section 50.40 of this Code, shall apply to an application for Public Transportation Facility. The decision making authority is the Director.
- C. Approval Criteria. In order to approve a Public Transportation Facility application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. The proposal satisfies the threshold requirements for a Public Transportation Facility application.
  2. All City application fees related to the application under consideration by the decision making authority have been submitted.
  3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.
  4. The proposal meets all applicable design standards for the classification of the subject road as specified by the *Engineering Design Manual and Standard Drawings* unless the applicable provisions have been modified by the City Engineer by separate process.
  5. The alignment of the new or extended transportation facility is consistent with the general location shown in the Comprehensive Plan Transportation Element.
  6. Any interim improvements have been designed to accommodate future improvement of the facility to ultimate standards.
  7. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.

40.57.15.1.

- D. Submission Requirements. An application for a Public Transportation Facility shall be made by the City Engineer or an authorized agent of a public agency with jurisdiction, on a form provided by the Director and shall be filed with the Director. The Public Transportation Facility application shall be accompanied by the information required by the application form, and by Section 50.25 (Application Completeness), and any other information identified through a Pre-Application Conference.
- E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Public Transportation Facility application to ensure compliance with the approval criteria.
- F. Appeal of a Decision. Refer to Section 50.60.
- G. Expiration of a Decision. Refer to Section 50.90.
- H. Extension of a Decision. Refer to Section 50.93.

